



# House of Representatives

## File No. 728

General Assembly

February Session, 2016

**(Reprint of File No. 494)**

Substitute House Bill No. 5513  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
April 25, 2016

### **AN ACT REVISING CERTAIN STATUTES CONCERNING THE STATE COMPTROLLER.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 5-262 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section:

4 (1) "Federation" means a [community chest or other organization  
5 which is incorporated as a nonstock corporation, is] legally constituted  
6 grouping of not less than five affiliated nonprofit charitable member  
7 organizations that are exempt from taxation under Section 501(c)(3) of  
8 the Internal Revenue Code of 1986, or any subsequent corresponding  
9 internal revenue code of the United States, as from time to time  
10 amended, [and consists of not less than ten affiliated agencies]  
11 conducting a single, annual, consolidated effort to secure funds for  
12 distribution to its member agencies engaged in charitable and public  
13 health, welfare, environmental, conservation or service purposes.

14 (2) ["Agency" means an organization which is exempt from taxation  
15 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any  
16 subsequent corresponding internal revenue code of the United States,  
17 as from time to time amended] "Principal combined fund-raising  
18 organization" means a federation, charitable organization or  
19 consultant, as described in subdivision (2) of subsection (c) of this  
20 section, that is selected by the State Employee Campaign Committee to  
21 administer the State Employee Campaign under the direction and  
22 control of said committee.

23 (3) "State Employee Campaign" means an annual campaign to raise  
24 funds from state employees for charitable and public health, welfare,  
25 environmental, conservation [and] or service purposes.

26 (b) (1) There is established a State Employee Campaign Committee  
27 consisting of: The Comptroller, or [his] the Comptroller's designee; the  
28 Commissioner of Administrative Services, or [his] the commissioner's  
29 designee; the executive director of the Joint Committee on Legislative  
30 Management, or [his] the executive director's designee; ten state  
31 employees appointed [as follows: Four by the Governor, two of whom  
32 shall be a representative of organized labor, one by the speaker of the  
33 House of Representatives, one by the majority leader of the House of  
34 Representatives, one by the minority leader of the House of  
35 Representatives, one by the president pro tempore of the Senate, one  
36 by the majority leader of the Senate and one by the minority leader of  
37 the Senate] in accordance with subdivision (2) of this subsection; two  
38 retired state employees, one appointed by the Governor and one  
39 appointed by the Comptroller; one nonvoting representative from each  
40 participating federation; and one nonvoting representative from the  
41 principal combined fund-raising organization selected pursuant to  
42 subdivision (3) of subsection (c) of this section. Not more than one  
43 state employee from any state agency shall be appointed to the  
44 committee. All voting members of the [state employee campaign  
45 committee] State Employee Campaign Committee and their successors  
46 shall serve in accordance with the provisions of section 4-1a. The  
47 committee shall select one of its voting members to serve as

48 chairperson.

49 (2) The ten state employee members of the State Employee  
50 Campaign Committee shall be appointed as follows: Four by the  
51 Governor, two of whom shall be representatives of organized labor;  
52 one by the speaker of the House of Representatives; one by the  
53 majority leader of the House of Representatives; one by the minority  
54 leader of the House of Representatives; one by the president pro  
55 tempore of the Senate; one by the majority leader of the Senate; and  
56 one by the minority leader of the Senate.

57 (c) (1) The State Employee Campaign Committee shall [select a  
58 federation which has participated in the State Employee Campaign  
59 and has workplace campaign experience to administer the State  
60 Employee Campaign and shall supervise the campaign activities of  
61 such federation. The federation selected shall be referred to as the  
62 "principal combined fund-raising organization". If two or more  
63 federations request that the State Employee Campaign Committee  
64 select them to serve as the principal combined fund-raising  
65 organization, the State Employee Campaign Committee shall select a  
66 federation through a competitive process. During the fiscal year  
67 ending June 30, 1993, the committee shall also conduct a  
68 comprehensive review of the State Employee Campaign. Not later than  
69 July 1, 1993, and annually thereafter, the committee shall submit to the  
70 Governor and the General Assembly a report on the results of the most  
71 recently completed State Employee Campaign and recommendations  
72 for improvements in the upcoming campaign.] be responsible for (A)  
73 the overall coordination of the State Employee Campaign, selection of  
74 participating federations and approval of campaign materials to be  
75 used for the State Employee Campaign, and (B) the selection and  
76 supervision of a principal combined fund-raising organization to  
77 administer the State Employee Campaign.

78 (2) Each federation, charitable organization or consultant submitting  
79 an application to become the principal combined fund-raising  
80 organization for the State Employee Campaign shall demonstrate that

81 such federation, charitable organization or consultant (A) has prior  
82 workplace campaign experience, including, but not limited to, (i) the  
83 development of financial procedures for processing and tracking  
84 contributions and expenditures, and (ii) conducting campaign  
85 operations such as a kick-off and other events for the State Employee  
86 Campaign, (B) has staff necessary to administer the State Employee  
87 Campaign, and (C) will administer the State Employee Campaign  
88 equitably and fairly.

89 (3) If two or more federations, charitable organizations or  
90 consultants submit an application to become the principal combined  
91 fund-raising organization for the State Employee Campaign, the State  
92 Employee Campaign Committee shall, through a competitive process,  
93 select the lowest responsible qualified bidder, as defined in subsection  
94 (a) of section 4a-59. If only one federation, charitable organization or  
95 consultant submits such an application and meets the qualifications  
96 prescribed in subdivision (2) of this subsection, the State Employee  
97 Campaign Committee shall select such federation, charitable  
98 organization or consultant to become the principal combined fund-  
99 raising organization.

100 (4) The Comptroller, on behalf of the State Employee Campaign  
101 Committee, shall contract with the selected principal combined fund-  
102 raising organization to administer the State Employee Campaign.

103 (d) (1) [Each] Any federation [which] that did not participate in the  
104 most recently completed State Employee Campaign and wishes to  
105 participate in the next State Employee Campaign shall apply to the  
106 State Employee Campaign Committee not later than January fifteenth  
107 [annually] after the most recently completed State Employee  
108 Campaign for approval to participate in the [campaign] next State  
109 Employee Campaign. Such application shall contain information  
110 required by regulations adopted by the office of the Comptroller in  
111 accordance with chapter 54, pursuant to subsection (h) of this section.  
112 The committee shall review such application and notify the federation  
113 of [its] the committee's decision not later than May fifteenth. [A

114 federation whose] If a federation's application is denied, such  
115 federation may appeal the decision of the committee in accordance  
116 with the procedures set forth in such regulations adopted by the office  
117 of the Comptroller.

118 (2) On or before January fifteenth, each federation which  
119 participated in the most recently completed State Employee Campaign  
120 and wishes to participate in the next State Employee Campaign shall  
121 submit to the State Employee Campaign Committee a letter of intent to  
122 participate in the [upcoming campaign] next State Employee  
123 Campaign. On or before April fifteenth, each such federation shall  
124 apply to the State Employee Campaign Committee for approval to  
125 participate in the [campaign] next State Employee Campaign. Such  
126 application shall contain information required by regulations adopted  
127 by the office of the Comptroller in accordance with chapter 54,  
128 pursuant to subsection (h) of this section. The committee shall review  
129 such application and notify the federation of [its] the committee's  
130 decision not later than May fifteenth. [A federation whose] If a  
131 federation's application is denied, such federation may appeal the  
132 decision of the committee in accordance with the procedures set forth  
133 in such regulations adopted by the office of the Comptroller.

134 (e) The Comptroller, upon written request of any state officer or  
135 employee, shall deduct, each pay period, from the salary or wages of  
136 such officer or employee the amount of money designated by such  
137 officer or employee for payment to the participating federation or  
138 federations indicated by the officer or employee. Upon collecting such  
139 deductions, the Comptroller shall transmit them to the principal  
140 combined fund-raising organization selected pursuant to subdivision  
141 (3) of subsection (c) of this section, together with a list of officers and  
142 employees contributing to each federation or [its] such federation's  
143 member agencies, provided the identity of [officers or employees who  
144 have] any officer or employee who has communicated in writing that  
145 [they desire] such employee or officer desires to remain anonymous  
146 shall not be so transmitted. Such principal combined fund-raising  
147 organization shall, each month after receiving funds from the

148 Comptroller, distribute the funds among the other federations [,] for  
149 further distribution to the member agencies of the federations.

150 (f) Prior to the [state campaign] annual commencement of the State  
151 Employee Campaign, the principal combined fund-raising  
152 organization shall submit for the approval of the State Employee  
153 Campaign Committee an itemized budget of anticipated  
154 administrative expenses, which budget shall not include campaign  
155 expenses. Following the [state campaign] annual conclusion of the  
156 State Employee Campaign, the principal combined fund-raising  
157 organization shall recover an amount not to exceed one hundred ten  
158 per cent of its preapproved actual administrative expenses from the  
159 gross payroll deduction receipts of the campaign in accordance with  
160 procedures set forth in regulations adopted by the office of the  
161 Comptroller, pursuant to subsection (h) of this section. Undesignated  
162 funds raised through the campaign shall be distributed among the  
163 participating federations in proportion to the amount of funds  
164 designated for each federation.

165 (g) [The] Not later than March first annually, the principal  
166 combined fund-raising organization shall submit to the Auditors of  
167 Public Accounts for audit [, and a copy to the office of the Comptroller,  
168 by March first annually,] a financial report of [its] such principal  
169 combined fund-raising organization's activities relating to the State  
170 Employee Campaign payroll deductions made during the previous  
171 calendar year. The principal combined fund-raising organization shall  
172 submit a copy of such financial report to the office of the Comptroller.

173 (h) The Comptroller shall (1) adopt regulations in accordance with  
174 the provisions of chapter 54 to carry out the purposes of this section, [.  
175 The regulations shall set forth the competitive process by which the  
176 State Employee Campaign Committee shall select a federation to serve  
177 as the principal combined fund-raising organization and may include  
178 criteria for approval of federations applying under this section to  
179 participate in the State Employee Campaign] (2) exercise general  
180 supervision over all operations of the State Employee Campaign and

181 take any steps necessary to ensure achievement of campaign  
182 objectives, and (3) have the authority, for purposes of compliance with  
183 this section and any regulations adopted pursuant to this section, to  
184 audit, investigate and report on the administration of the State  
185 Employee Campaign, the principal combined fund-raising  
186 organization that administers the campaign and any federation or  
187 federation member organization that participates in the campaign.

188 (i) Not later than July 1, 2016, and not later than April first annually  
189 thereafter, the State Employee Campaign Committee shall conduct a  
190 comprehensive review of the State Employee Campaign and submit to  
191 the Governor, the Comptroller and the General Assembly, in  
192 accordance with section 11-4a, a report on the results of the most  
193 recently completed State Employee Campaign and recommendations  
194 for improvements in the next State Employee Campaign.

This act shall take effect as follows and shall amend the following sections:		
Section 1	from passage	5-262

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill does not result in a cost to the state or municipalities. The bill makes statutory, technical, and conforming changes to conform to current practice and provide the State Employee Campaign administrative flexibility.

House "A" establishes an initial reporting deadline for the State Employee Campaign Committee which does not result in a fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None



**OLR Bill Analysis****sHB 5513 (as amended by House "A")\******AN ACT REVISING CERTAIN STATUTES CONCERNING THE STATE COMPTROLLER.*****SUMMARY:**

This bill makes several changes to the statutes governing the Connecticut State Employees Campaign for Charitable Giving (CSEC), which is overseen by the State Employee Campaign Committee and the state comptroller. Among other things, it (1) revises the requirements for the organization selected to administer the campaign, (2) expands the comptroller's oversight of the CSEC, and (3) codifies in statute certain of the committee's responsibilities.

Lastly, the bill makes technical and conforming changes.

\*House Amendment "A" delays, until 2017, the change in the annual reporting date for the committee's review of the campaign.

EFFECTIVE DATE: Upon passage

**PRINCIPAL COMBINED FUNDRAISING ORGANIZATION**

By law, the CSEC is administered by a principal combined fundraising organization (PCFO) the committee selects annually. Under current law, the PCFO must be a federation, which is a legally constituted group of affiliated 501(c)(3) organizations. The bill (1) additionally allows charitable organizations and consultants to serve as the PCFO; (2) reduces, from 10 organizations to five, the minimum number of nonprofit organizations required to form a federation; and (3) eliminates a requirement that a federation be a community chest or other organization incorporated as a nonstock corporation. It also requires the comptroller to contract with the PCFO on behalf of the committee.

Existing law requires that the PCFO have previous workplace campaign experience. The bill specifically requires that the PCFO have experience (1) developing procedures for processing and tracking contributions and expenditures and (2) conducting certain campaign operations and events. It also requires the PCFO to (1) have the staff necessary to administer the campaign and (2) administer the campaign equitably and fairly. Existing regulations require additional qualifications (Conn. Agencies Reg. § 5-262-9).

### **COMPTROLLER AND STATE EMPLOYEE CAMPAIGN COMMITTEE**

The bill expands the comptroller's oversight of the CSEC. It requires him to exercise general supervision over all campaign operations and take any steps necessary to ensure that campaign objectives are achieved. It gives the comptroller authority, for purposes of compliance with the CSEC laws and regulations, to audit, investigate, and report on CSEC administration, the PCFO, and any federation or federation member organization participating in the campaign.

The bill codifies certain responsibilities of the committee that are currently established in regulations (Conn. Agencies Reg. §§ 5-262-8 and 5-262-9). By law, the committee is responsible for selecting the PCFO through a competitive process, supervising its activities, and selecting participating federations. The bill codifies regulation requirements that the committee (1) coordinate the overall CSEC and (2) select the lowest responsible qualified bidder as the PCFO.

Beginning in 2017, the bill moves, from July 1 to April 1, the deadline by which the committee must annually (1) conduct a comprehensive review of the previous year's campaign and (2) submit a report to the governor and legislature with the results and recommendations for improving the next campaign. As under current law, the committee must submit its 2016 report by July 1, 2016.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea    15    Nay   0    (03/18/2016)